Lawes, and Orders of VVarre, eſtabliſhed

for the good Conduct of the ſeruice of Ireland.

HENRY FALKLAND:

HENRIE, Lord Vice-Count of *Falkland*, one of the Lords of his Majeſties Moſt Honourable Privie Councell of *England*, and Lord Deputie Generall of the Realme of *Ireland*. To all Officers of the Armie, and all Collonels, Captaines, Officers, and Souldiers of Companies, and all his Maieſties Subiects, and others, whom theſe Lawes, and Orders enſuing, reſpectiuely, and ſeuerally ſhall concerne. Forasmuch as no good Seruice can be performed, or Warre well managed, where Millitarie diſcipline is not obſerued, and Militarie diſcipline cannot be kept, where the Rules or chiefe parts thereof, be not certainely ſet downe, and generally knowne; I haue ſet downe theſe Lawes, and Orders following, and doe now publiſh them vnder my hand, that all perſons in this Armie, or kingdome, within my charge, may take knowledge of the ſaid Lawes, and penalties ſet downe, for the breakers of them.

1 First, we owe our Higheſt dutie, and greateſt Allegeance, to him from whom all Power, and authoritie flowes, as from the firſt Fountaine, and muſt receiue our ſucceſſes of him that is the Lord of Hoſtes, I doe ſtraightly charge, and command, all Commanders, and Officers of the Armie, to ſee that Almightie God be ſerued, That Sermons, Morning and Euening Prayer be diligently frequented, and that thoſe that often, and wilfully abſent themſelues, be duely puniſhed.

2 Let no Man ſpeake impiouſly and maliciouſly againſt the Holy and bleſſed Trinitie, or any of the Three Perſons, that is to ſay, God the Father, God the Sonne, and God the holy Ghoſt, or againſt the knowne Articles of the Chriſtian Faith vpon paine of death.

3 Let no Man blaſpheme Gods holy Name, or vſe vnlawfull Oathes or execrations, or committ any irreligious Act, to the derogation of Gods honour, vpon paine of loſſe of his Pay, Impriſonment, and ſuch further puniſhment, as a Marſhall Court, ſhall thinke his Offence deſerues.

4 No Man ſhall vſe any trayterous wordes, againſt his Maieſties Perſon, or Ropall Authoritie vpon paine of death.

5 No Man whether he be Souldier, or other, Engliſh or Iriſh, ſhall haue conference, or intelligence, with any Enemie or Rebell, that is in open action againſt his Maieſtie, or harbours, or receiues any ſuch within the Campe, or in any Towne, Forte, Caſtle or Garriſon, or ſhall ſend, or procure to be ſent, any Victuall, Munition, or other reliefe, to any Enemie or Rebell in action, vpon paine of death, except ſuch as ſhall be avowed, and warranted by me, or thoſe that ſhall commaund the Armie in my abſence, to ſpeake, conferre, or haue intelligence, or conuerſe with the Enemie or Rebell.

6 No Man ſhall runne to the Enemie, or Rebell, that is in action, or depaete the Armie without licence, or from the Garriſon or Colloures, vpon paine of death.

7 No Man ſhall committ any Murder, or kill, any perſon, or draw bloud of any, or draw any Sword in priuate quarrell, with intent to offer violence within the Campe or Garriſon, vpon paine of death.

8 No Man ſhall raviſh, or forze any woman, vpon paine of death, and Adulterers, and Fornicators ſhall bee puniſhed, by impriſonment, baniſhment from the Armie, or ſuch other penaltie, as by the Marſhall Court ſhall be thought meete.

9 No man ſhall ſteale, or take by forze, any Treaſure, Victuall, or Munition of his Maieſties: Or take by forze, or ſteale from any perſon, any Money, Armes, Apparell, or other goods, being aboue the value of twelue pence, in Marching, Campe, or Garriſon, upon paine of death.

10 No man ſhall deliuer any Towne, Caſtle, Forte, or Scance, without warrant, or departe from any ſtraight or paſſage, which he is commanded to make good, or take Paſſe-port of the enemie, or any Rebell in action from any Troopes, or make any ignominious compoſition with the Enemie, or Rebell in action, vpon paine of death.

11 No man ſhall throw away his Armes, or abandon his Enſigne, Cornet, or Guidon, or flie away, in any Battle, or Skirmiſh, vpon paine of death.

12 No man being ſet Sentinell ſhall ſleepe, or appointed by the Officer of the Guard, or any Superior officer, that hath authoritie to place him, ſhall departe, and forſake that place, without warrant, vpon paine of death.

13 No man ſhall offer any violence, or contemptuouſly diſobey his Commander, or doe any act, or ſpeake any wordes which are like to breede any Mutiny in the Armie or Garriſon, or impeach the obaring of the Generall, or principall Officers directions, vpon paine of death.

14 No man ſhall outrage, or doe violence, to any that comes to bring Victuals to the Armie, or Garriſon, vpon paine of death.

15 No man that carries Armes, or pretends to be a Souldier, ſhall remaine three dayes in the Armie, after it is on foote, except he be inrolled in ſome Companie vpon paine of death.

16 No Souldier ſhall burne any Houſe or lodging, or burne, or wilfully ſpoile, any Corne, Ship or Boate, or carriage, or any other thing that may ſerue for the proviſion of the Armie, or his Garriſon, without he be commaunded ſo to doe, by the Generall, or ſome principall Officer of the Armie vpon paine of death.

17 No man ſhall depart a myle out of the Armie, or Campe or Garriſon, except he be commaunded, and lawfully warranted ſo to doe. vpon paine of death.

18 No Souldier ſhall breake his Order to follow any Route or chaſe, or to ſeeke, any prey, or ſpoyle, except he be commaunded by ſuch as haue authoritie no further then he is commanded, vpon paine of death.

19 No man that hath Paſſe-port for any limitted Time, ſhall exceede the time limitted for his abſence, except he can proue he was ſtayed by the hand of God, vpon paine of death.

20 No Providor, Keeper, or Officer of his Maieſties Victualls, or Munitions, ſhall embeazill any part thereof, or giue any falſe account to the Generall, with a purpoſe to deceiue his Maieſtie, or to hinder the Seruice, vpon paine of death.

21 No man ſhall wilfully, or through groſſe ignorance, farle in comming to the Randez-vous, or Garriſons aſſigned to him by the Generall, or other principall Officer that ſhall commaund the Armie, vpon paine of death.

22 No Souldiers in Muſters, ſhall anſwere for another, or take two paies, or Muſter in a falſe name, to defraude his Maieſtie, vpon paine of death

23 No Captaine ſhall through corruption, wilfull, or groſſe negligence, ſuffer his Companie to grow weake, or practiſe to defraude his Maieſtie in his Muſter, vpon paine of impriſonment, loſſe of his Place, and ignominious baniſhment from the Armie:

24 No Captaine of the Armie, or Officer ſhall giue paſſe-port to any, or diſmiſſe any Souldier once inrolled, without warrant from the the Generall, or other Officer, whom he ſhall authorize, vpon paine of loſſe of his Place, and impriſonment.

25 No Souldier ſhall depart from his Captaine, or ſeruant from his Maſter without licence, though he ſerue ſtill in the Armie, vpon paine of death.

26 Item that no Souldier doe ſell, or lay to pawne his Horſe, or Hackney, or any part of his furniture, Armes, or apparell for any reſpect, or pretence of want whatſoeuer, vpon paine of death.

27 Nor that any Inhabitant in Towne or Countrie, ſhall preſume to buy, or to take to pawne any part of the ſame, vpon paine both of impriſonment, at the diſcretion of the Lord Deputie and chiefe Commander, and forfeit of double the value of any ſuch thing ſo bought or layd to pawne.

28 Item, that all Bands of foote-men, shall in paſſing through the Pale, or other Countries in obedience to goe to any Garriſon, or Place of Seruice, March tenne miles a day or thereabouts, holding the direct way to the ſame Garriſon or place of ſeruice, And that no Captaine, Officer, or Souldier, doe vpon any pretence of want, commit any waſt, ſpoyle, or violence, or doe extort any Victuals, or Money, or Pawne in lieu of Victuals, from any good Subiect, but ſhall content themſelues with Meate, and drinke competent, not taking any allowance for dead payes, but for the moſt number of men they haue in their Companie for a ſupper, and a breake-faſt in one place onely, upon paine of ſuch ſharpe puniſhment as the Lord Deputie, or other Magiſtrates thereunto authoriſed, agreeable to the nature, and qualitie of the ſame offence, ſhall thinke good to inflict, be it by death, impriſonment, or other reſpectall puniſhment: But if vpon any occaſion of March through the Countrie the Souldier ſhall be in want, that then the Officer, with the aduice conſent, and aſſiſtance of the Shiriffe, Subſhiriffe, Collectors, or others his Maieſties Officers in that Barony, or the next adioyning: if there be any, or may be found, ſhall ſeeke and prouide ſuch diet and lodging for them, as ſhall be thought fit at reaſonable rates heretofore accuſtomed, for the which the Captaine or Officer giue readie money, or for want thereof, deliuer his Ticket to be ſatisfied vpon the Captaine or Souldiers entertaynment, So as all occaſions of offence and griefe ſhall be farre removed from all good Subiect.

29 Item, If any Horſeman ſhall looſe his Horſe or Hackney, or Foote-man any part of his Armour, by negligence or other lewdneſſe, whereby hee ſhall be vnabled to diſcharge the dutie of his place, that vntil he ſhall recouer the ſame, or otherwiſe furniſh himſelfe with as good, he ſhall reſerue in the ſtate, and condition of a Proner, or ſuſtaine further puniſhment, at the direction of the Lord Deputie, or other Officer thereunto authoriſed.

30 Item, whensoeuer any prey, or spoyle, shall be taken from the Rebels, eyther when the Armie is in the field, or by any residing in Garrison vpon the borders, that no Officer or Souldier doe attempt to imbeazill or purloine any part thereof, vpon paine of death: But shall endeuour themselues to the vttermost of their powers, to keepe the same together, to be disposed at the direction of me the Lord Deputie, or any other by me thereunto authorized.

31 Item, That no Captaine, Officer, or Souldier, or any other that shall take any Prisoner, shall presume to deliuer vpon ransome, or conceale him, but that within foure and twentie houres, he shall make the same knowne to the Lord Deputie or chiefe Commander, and deliuer the same Prisoner vnder the charge of the Prouost-Marshall vpon paine of death.

32 No inhabitant in Citie, Towne or Countrie, shall presume to receiue any Souldier into their seruice, not hauing a sufficient authoritie, and Passeport, neyther shall any conceale or hide any such runne away, or vse meanes, to conuey them out of the kingdome, or to any other secret place: But shall apprehend all such, and deliuer them ouer to the Prouost-Marshall, vpon paine of imprisonment, and such other punishment as shall be thought fit by the Lord Deputie, or other chiefe Officer hereunto authorized to be inflicted.

33 No Magistrate or Officer of any Citie, or Corporate Towne, shall presume to imprison or detaine the bodie of any Souldier aboue foure and twentie houres, or to inflict any punishment vpon him for any offence, but shall deliuer all such to the Prouost-Marshall to bee tried by the speedie course of Marshall law.

34 All Captaines shall be diligent in training their Companies, and shall be carefull in gouerning them well, and in prouiding for them, and also shall see in all seruices, that they doe the duties of Souldiers, as they will hope for fauour and aduancement, or escape ignominious displacing from their charges.

35 All Captaines and other Officers, that for the time shall haue Commaund of Companies, shall see their Companies, doe orderly quarter, as they are appointed, and to entrench and fortifie, as much of the Quarter as they are appointed, and as they are commanded, vpon paine of losse of their places.

36 No man shall spoyle, or take the goods of any that dyeth, or is kill'd in seruice, vpon paine of restoring double the value: But the goods of such as die in the Armie or Garrison, if they make any will by writing or word, shall be disposed according to the Will, if they make no Will, it shall be distributed to the hurt, sicke, and poore of of the Company whereof the Souldier was, or shall goe to the Hospitall of the Armie.

37 No man shall enter or goe out of the Armie, but by ordinarie wayes, vpon paine of imprisonment.

38 No man shall giue any disgracefull wordes, or commit any act to the disgrace of any person in his Armie or Garrison, or any part thereof, vpon paine of imprisonment, publike disarming and banishment from the Armie, as men for euer disabled to carrie Armes, And as I forbid all men vnder my rule, to renew any old quarrels, or to begin any new, So I doe acquitte and discharge all men that shall haue quarrels offered to them, or challenge made to them of any disgrace or opinion of any disaduantage, since they doe but the duties of Souldiers, which ought to subiect themselues to marshall discipline, and they that prouoke them shall be proceeded withall as breakers of all good discipline, and enemies to the good successe of the seruice.

39 And because drunkenesse is the mother of many other vices and disorders in Armies, euery Souldier or Officer that shall be found drunke shall be committed to prison for the first offence, and if he fall into it the second time, being a priuate Souldier, he shall besides his imprisonment forfeyte Two Moneths pay. If he be an Officer, he shall loose his place, The third time shall haue such farre greater punishment, as the Marshall Court shall set downe.

40 Euerie priuate man and Souldier, vpon paine of imprisonment shall keepe silence when the Armie is to take lodging, or when it is marching or embatling, So as the Officers may be heard, and their Commandements executed.

41 No Souldier seruing on foote, shall carrie any Boy, nor any Woman shall be suffered to follow the Armie, vpon paine of such punishment, as shall be inflicted by the Lord Deputie, or other Officer.

42 All Captaines, Officers and Souldiers, shall doe their endeuours, to detect, apprehend, and bring to punishment all offendors, and shall assist the Officers of the Armie for that purpose, as they will answere their slackenesse, and be censured at the Marshall-Court.

43 All other faults, disorders, and offences that are not mentioned in these Articles, shall be punished according to the generall Customes and Lawes of Warres: And therefore I command all Men, to looke to their charge, and him that hath no charge, to looke to his owne carriage, and to keepe himselfe within bounds of dutie, for the discipline of Warre shall be strictly kept, and the lawes thereof, seuerely executed.

44 No Victualler shall presume to issue or sell vnto the Souldiers, or to the Companies, vnsound, vnsauorie, or vnwholsome victuals, vpon paine of imprisonment, and such other punishment, as by a Marshall-Court shall be thought fit to be imposed, vpon him or them that shall so offend.

45 No Captaine, Lieutenant, or other Officer of the Armie, shall in the tender and presentment of their Musters, vse any fraude, practise, or deceite whereby the Muster-Master his Commissaries, or Deputies may be misled, mistaken, or preuented, of the due vnderstanding of the true estate of of that Companie, vpon paine of the losse of his place, and such other ignominious punishments, as by a Marshall-Court, shall be thought meete.

46 No Muster-Master, shall eyther for fauour, friendship, loue, or hatred, or any other by respect whatsoeuer, impose a lesse or greater checke vpon any Captaine or Officer, then his default shall iustly merit, nor get any checke at all, where no defect or fault shall appeare, vpon a due view taken of the Companie. And that no checke shall be impo'ed by discretion without view, vpon paine that euerie offendor that shall be found to transgresse in all, or any part of this Article, shall forfeite the place which he holdeth, and be further subiect to such corporall, or pecuniary punishment, as by the discretion of a Marshall-Court shall be thought conuenient.

We require the Marshall of the Armie, the Iudge-marshall, the Captaines of Horse and foote in his Maiesties pay, and all other his Maiesties Officers in this Kingdome whom it may concerne, to obserue these Lawes, and to see them put in due execution from time to time. Published the 11. day of Inne. 1625.

HENRIE FALKLAND.

God saue the King.

Imprinted at Dublin by the Societie of STATIONERS,
Printers to the Kings Maiestie. Anno 1625.